December 6, 2021

Dear Department of Agriculture Staff:

On behalf of Puget Sound Energy ("PSE"), thank you for the opportunity to provide comments on the draft rules related to electric vehicle supply equipment regulations, WAC 16-662-200, 210 and 215.

PSE is committed to creating a cleaner energy future and is supportive of Washington State’s clean energy goals. This includes transforming our electricity supply to become carbon-free by 2045. In PSE’s “Beyond Net Zero Carbon” goal, PSE seeks to partner with customers and industry to reduce carbon in other sectors, including advancing the market’s transformation to electrified transportation.

PSE’s Transportation Electrification Plan ("TEP"), which received a letter of acknowledgement from the Washington Transportation and Utility Commission on August 12, 2021, pursuant to RCW 80.28.365 under Docket UE-210191, outlines PSE’s approach to and planning for its transportation electrification activities and expenditures for the five-year period of 2021-2026. The TEP is PSE’s comprehensive five-year strategic framework for electric vehicle products, services, and infrastructure that will drive the transition to a cleaner energy future by further advancing electrified transportation in Washington State. Prior to the release of the TEP, in 2019 PSE launched six pilot programs to increase access to EV charging in residential homes, at workplaces, at multifamily properties, and in the public.
Overall, PSE is supportive of the draft rules as released by the Department and offers the following comments:

**WAC 16-662-200**

PSE would recommend providing clarifying language in subsection (1) that EVSE impacted by this WAC are those that are publicly available and subject to this rulemaking.

“(1) Any publicly available electric vehicle supply equipment that is eligible for a delayed compliance date based on installation dates must be clearly marked...:

While PSE understands the need for enforcement around this section, we would also recommend implementing a warning system prior to imposing monetary fines. EVSE subject to this section are installed in areas readily accessible to the public and not inspected by staff on a daily basis. Labels may be removed or defaced and the EVSE service providers would have no way of knowing of the removal or defacement before receiving the citation.

PSE is in agreement with the compliance dates outlined for DC fast chargers, as the technology for that EVSE is already well-suited for public use. However, specifications and features of Level 2 EVSE on the market vary widely and it may take additional time for technology to evolve to meet the requirements of these WACs, especially given ongoing supply chain constraints and delays.
With this in mind, we would propose delaying Level 2 EVSE compliance, at a minimum, to chargers installed on or after Dec. 31, 2025.

**WAC 16-662-210**

PSE supports the flexibility offered in subsection (1) of the draft rule, which will enable EVSE service providers to meet requirements without incurring large capital costs. PSE interprets the last sentence of this section, “At least one payment method must include payment by charge card (debit, credit, and pre-paid) by use of the card number or magnetic strip,” to mean that a toll-free number or mobile application would meet this requirement. As discussed previously, requiring physical credit card readers on stations introduces costs that may be burdensome while also increasing the risk to consumers of skimming or fraud. PSE looks forward to working with the Department to allow additional types of acceptable payment methods as payment technology, security, and convenience evolve.

PSE’s customer demographics are incredibly diverse; thus, PSE recognizes the need to allow users to initiate a charge in a language other than English. As written, we interpret subsection (2) to
mean that a mobile application or instructions on the equipment would fulfill the requirements of this section, which we fully support.

PSE supports the language in subsection (3).

**WAC 16-662-215**

PSE supports the proposed language in WAC 16-662-215.

Thank you again for the opportunity to provide input. We hope the comments are helpful in articulating PSE’s support and perspective toward this rulemaking and look forward to reviewing the draft rules, once released.

Sincerely,

*Danielle Kievit*

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Puget Sound Energy